



Richard B. Rosenthal, Esq - The Dog Lawyer

Admitted: NYS, SCOTUS, USCA-3, USCA-4, USCA-6, USDC - NYED, NYSD, NYND, CTD,
MDD, OHND, ILCD, ILND (General & Trial Bars) WIWD, COD, INSD, INND, MIWD, TXSD

Via ECF

December 11, 2024

Hon. Steven Tiscione
United States Magistrate Judge
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Vergara, et al. v. Town of Babylon, et al.*
21-CV-06667-ST

Dear Magistrate Judge Tiscione:

I apologize for not responding yesterday however I am home sick and did not see the order.

Please be advised that the expert discovery has been exchanged, however due to my own health issues, the expert's schedule and Mr. Wexler's trial schedule (he is presently on trial) we have not been able to complete the expert's deposition. Due to the holidays, conflicting vacations schedules and trial schedules we have been unable to find an earlier date and the deposition is presently scheduled for January 17, 2025.

The Court should note that there is presently only one additional counsel involved in this matter, Michela Huth, an Ohio attorney who is involved solely as a researcher/writer and has not otherwise been involved in this matter. She would be unable to adequately represent plaintiffs in the conference. The Court previously discharged Ms. Greene and I previously informed the Court that Juanita Bright, a new attorney who had been working with me to gain experience has left to become a Deputy Attorney General for the State of New York and is therefore unavailable.

I thank the Court for its consideration.

Respectfully submitted,

Richard Bruce Rosenthal

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cc: William D. Wexler, Esq.

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